

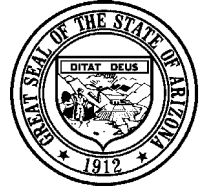
ARIZONA DEPARTMENT OF WATER RESOURCES

500 North Third Street, Phoenix, Arizona 85004

Telephone 602 417-2465

Fax 602 417-2467

www.water.az.gov



Application for an Assignment of a Certificate of Assured Water Supply

This application

This application is for subdivisions that have already received a Certificate of Assured Water Supply (CAWS), but have had or will have a change in ownership, without an increase in the total water demand, nor any other material change. A CAWS is issued based on a subdivision's plat and in the name of the property owner. The certificate is valid only for that owner and that plat. This application provides an abbreviated format to submit to the Department the necessary information to issue an Assignment of a CAWS to a new owner of a previously certificated subdivision, provided that the application meets the qualifying criteria of A.R.S. § 45-579.

What is a subdivision?

A subdivision as defined in A.R.S. § 32-2101 is land divided into six or more parcels with at least one parcel (or lot) having an area of less than 36 acres, for the purpose of sale or leasehold offerings of greater than one year, including lands subdivided as part of a common promotional plan. All subdivisions within active management areas, including those for residential, commercial or industrial uses, are subject to the assured water supply (AWS) requirements.

Assignee

Pursuant to A.R.S. § 45-579 a CAWS may be assigned in full or in part from one owner of a subdivision to a subsequent owner. A certificate of assured water supply may be assigned within ten years of the issue date of the original certificate. An assignment application may be filed more than ten years after the date the original certificate was issued if a minimum of five hundred lots have been sold to individual home buyers. An assignment of a certificate of assured water supply will be granted if the following criteria are met:

1. The applicant owns or is acquiring all or a portion of a subdivision that has already been issued a certificate.
2. The subdivision plat, plan or map has not substantively changed since the issue date of the original certificate.
3. Either there is water delivery infrastructure in place that is capable of delivering water to each lot within the subdivision or the applicant has demonstrated financial capability to complete the infrastructure.
4. The water provider who will serve the subdivision and the source of supply have not changed since the original certificate was issued.
5. All water rights, permits, licenses, contracts or easements necessary for the issuance of the original certificate have been transferred to the new applicant as necessary for the issuance of the Assignment Certificate.
6. The manner in which any water use by the subdivision satisfied the consistency with management goal requirements under the original Certificate has remained the same.

Addition of Optionee with Original Owner

This form also allows an abbreviated format for an anticipated change of ownership where the original certificate holder still owns the property but wishes to add a future owner or optionee, and the requirements of A.R.S. § 45-579 are met. In this case the assignment certificate will be issued to the current landowner with the addition of the optionee. The assignment certificate will be valid for both the owner and future owner (optionee).

NOTE:

This form may not be used if all of the above items do not apply. Please use the Application for a Certificate of Assured Water Supply form or the Change of Ownership form if you do not meet the qualifying criteria for an Assignment of a Certificate of Assured Water Supply.

If enough room is not provided on this form, please attach separate sheets as necessary.

NOTIFICATION OF AN APPLICATION FOR ASSIGNMENT OF A CERTIFICATE OF ASSURED WATER SUPPLY

This notice is to be completed by applicant. Please type or write information legibly. This form is to be used directly for the required web-posting. If information contained in this form is illegible, the application will be rejected. All information contained herein is provided by the applicant and has not been reviewed by the Department for accuracy.

Pursuant to Arizona Revised Statutes, Section 45-579, Subsection E, notice is hereby given that:

Name of applicant(s) (current Certificate holder): _____

Has/have applied to the Department of Water Resources to assign the Certificate of Assured Water Supply for:

NAME OF SUBDIVISION: _____

located within:

TOWNSHIP _____, **RANGE** _____, **SECTION(S)** _____
(GRBL&M)

COUNTY, _____ **AMA** _____

to:

Name(s) of Assignee: _____

The source of supply will be (water type(s)) _____

To be provided by (water provider(s) or dry lot) _____

This section to be completed by Department)

FILE NUMBER (DWR No. 27-)

Comments on an Application for the Assignment of a Certificate

Any person may submit a comment regarding the above referenced application to the Department of Water Resources by phone at (a toll-free number outside of the Phoenix metropolitan area) 1-800-352-8488, or by e-mail at assignmentcomment@adwr.state.az.us, or by U.S. mail or hand-delivery to 500 North 3rd Street, 4th Floor, Phoenix, AZ 85004 on or before _____ (14 days after notice is posted).

<p align="center">STATE OF ARIZONA ARIZONA DEPARTMENT OF WATER RESOURCES OFFICE OF ASSURED AND ADEQUATE WATER SUPPLY 500 NORTH THIRD STREET PHOENIX, ARIZONA 85004-3903 (602) 417-2465 Fax: (602) 417-2467</p>	<p>DATE RECEIVED:</p>
	<p>APPLICATION NO:</p>

**Application for an Assignment of a
Certificate of Assured Water Supply**

1. Enter subdivision name as it will appear on submittals to the platting entity and the Department of Real Estate.

Name of Subdivision: _____

2. Identify the water provider which will be serving the subdivision (unless the subdivision is a dry lot subdivision). The water provider must be the same entity which signs the "Notice of Intent to Serve" form. If the provider operates more than one system please identify which system will be used to service this subdivision. Dry Lot Subdivision: ___Yes ___No

Water Provider: _____ System Name: _____

3. Indicate the person to be contacted for questions regarding this application: Name: _____

Company: _____ E-Mail: _____

Address: _____ Phone: _____ Fax: _____

4. Give the location of the subdivision. Township _____ **Range** _____ **Section(s)** _____

City: _____ County: _____ AMA: _____

5a. Number of lots to be assigned: _____ **5b. Is this a** _____ **Full or** _____ **Partial Assignment?**

6. Identify the original certificate holder. In cases where this subdivision has already had an Assignment, identify the previous assignee. For partial assignments the original certificate holder, or previous assignee or authorized agent must sign.

Original Certificate Holder or previous Assignee: _____

Phone: _____ Fax: _____ E-mail: _____

Address: _____

Assignee(s): _____ Phone: _____ Fax: _____

Address: _____ E-mail: _____

I DO HEREBY certify that the information contained in this application and all information accompanying it is true and correct to the best of my knowledge and belief. **Please attach a copy of the deed or title report as proof of ownership. If signator is someone other than original certificate holder (or previous assignee) or proposed assignee, please provide proof of legal authority to sign on owner's behalf.**

Name and Title of Original Certificate Holder's Authorized Agent: _____

Signature of Original Certificate Holder or Authorized Agent: _____ Date _____

Name and Title of Assignee's Authorized Agent: _____

Signature of Assignee or Assignee's Authorized Agent: _____ Date _____

Part A – GENERAL INFORMATION

1. Please provide proof of ownership (such as a deed) and reference as attachment: _____
(If this application is to add a future owner to an existing CAWS, please provide proof evidencing future owner's intent to acquire the property, such as an option to purchase agreement.)

2. Please provide a copy of the original certificate and reference as attachment: _____

3. Please provide a copy of the plat of the subdivision for which you are applying and reference as attachment: _____

If the subdivision for which you are applying is a portion of the original certificate, not its entirety, indicate on the plat the portion for which you are applying. NOTE: If there have been any changes to the plat since the issuance of the original CAWS, do not use this form. Please use the Application for a Certificate of Assured Water Supply form.

Part B – FINANCIAL CAPABILITY

1. Is water service currently available to each lot? ____ Yes ____ No

If "Yes", please provide written documentation from the water provider that water service is complete and available to each lot, and reference as attachment: _____

If "No", please submit an executed copy of the "*Verification of Construction Assurance*" form (attached) signed by the platting authority and reference as attachment: _____

Note: Dry lot subdivisions do not need to complete the "*Verification of Construction Assurance*" form.

PART C - LEGAL AVAILABILITY OF SOURCE WATER

1. Indicate whether the subdivision will receive water through a central distribution system from a water provider, or if the subdivision will be a dry lot subdivision served by individual wells. If more than one provider will deliver water to the subdivision, a "*Notice of Intent to Serve*" form must be completed for all providers serving the subdivision.

Method of water distribution: ____ central distribution system ____ dry-lot subdivision (individual wells)

NOTE: if this is a dry-lot subdivision skip the remainder of this section and proceed to Part D below.

a. If the subdivision is to be served by a central distribution system, please indicate the type of water delivered:

____ Groundwater ____ CAP ____ Effluent ____ Other: _____

NOTE: For Consistency with Goal and Legal Availability purposes, any mixture of groundwater in the supply, the entire supply is considered groundwater. If no groundwater is to be delivered, proceed to question E.1.d. below.

b. If the subdivision is to be served groundwater by a central distribution system, is the provider currently delivering water to customers? ____ Yes ____ No

- c. If the subdivision is to be served groundwater by a central distribution system, is the subdivision within 660 feet of the providers existing distribution lines? ____Yes ____No

If "No" (the subdivision is not within the existing Service Area) please indicate how the subdivision will be incorporated within the Service Area. Check one of the following:

_____ Establish a New Service Area.

Please provide a copy of the "*Petition to Establish a Service Area*" filed with the AMA, along with the accompanying groundwater right, and approved well permit. Please be aware that enough volume of groundwater rights will need to be demonstrated to support the needs of the expected first year build-out of this subdivision. This includes a minimum of 4 residences and any amenities such as golf courses and parks. Please provide a copy of the Petition and reference as attachment: _____

-OR-

_____ Water Line Extension.

Please provide a copy of a Line Extension Agreement stating that a new service main will be constructed connecting the subdivision with the existing Service Area of the provider and reference as attachment: _____

- d. For all non-groundwater sources please indicate the type of source water, the total 100-year volume and attach any water rights, contracts or delivery agreements as proof of legal authority to receive the non-groundwater supply and reference as attachment: _____

Type of Supply: _____ 100-year volume _____

2. For subdivisions with a central provider, please include a completed and signed "*Notice of Intent to Serve*" form (attached) with the correct demand and reference as attachment: _____

NOTE: The "*Notice of Intent to Serve*" form must be signed by the owner and future owner (if any) of the subdivision and an authorized agent of the water provider.

3. Will more than one provider deliver water of any type to the subdivision? ____Yes ____No

If "Yes," please list the secondary provider: _____

Type of water to be delivered by secondary provider:

____Groundwater ____CAP ____Effluent ____Other: _____

For what use: ____Urban Irrigation(mini-farm) ____Livestock Grazing ____Other: _____

NOTE: A "*Notice of Intent to Serve*" agreement must be submitted for all water providers serving this subdivision.

4. If the subdivision will be receiving any water pursuant to an exchange agreement, please provide a copy of the agreement and reference the attachment: _____

PART D - CONSISTENCY WITH MANAGEMENT GOAL

1. An applicant for a dry lot subdivision comprised of 20 or fewer lots is exempt from proving consistency with the management goal. If this is a dry lot subdivision proceed to part E. below. If any groundwater is proposed to be used as the source of water for this subdivision, how will the groundwater use meet the "consistency with management goal" requirement? In many cases, water withdrawn and used (or exchanged) pursuant to a waterlogging or poor quality water exemption will not be counted against the groundwater allowance. However, a separate application must be filed to claim these exemptions. Contact the Department for more information. Please check all that apply below:

- ☐ Enrollment of the subdivision lands in the Central Arizona Groundwater Replenishment District (Phoenix, Tucson and Pinal AMAs **ONLY**)
A separate application for membership must be filed with the Central Arizona Water Conservation District, and the membership documents **must be executed and recorded before** a Certificate will be issued.
- ☐ Extinguishment of grandfathered groundwater rights dedicated to this subdivision
Provide evidence and reference the attachment: _____
Please attach a copy of the "Notification of Conveyance of Assured Water Supply Credits" filed with the AMA, and reference as attachment: _____
- ☐ Dedication of Long-Term Storage Credits (Recharge)
Provide evidence and reference the attachment: _____
- ☐ Exemption for the withdrawal and use of poor quality water pursuant to a remedial action
Provide evidence that the exemption has been granted by the Director and reference as an attachment: _____
- ☐ Exemption for the withdrawal and use of groundwater from an area exempt from conservation requirements due to waterlogging.

Part E – Demand Information

Please provide the demand estimate for the subdivision. If the assignment is for the entire original certificate, use the original estimated demand. If this application represents only a portion of the original certificate, please indicate the demand associated for this portion of the original certificate. The Department suggests calculating the per-lot demand from the total demand of the original certificate, and applying the pro-ratta demand factor to this application. Other reasonable methods may be appropriate. All demands associated with the original certificate must be accounted for. Indicate the annual demand below: (see Appendix A. for examples of demand calculation)

Original Total Demand:	_____ af/yr
Original Number of Lots:	_____ lots
Number of Lots with this Application:	_____ lots
Total Annual Demand of this Application:	_____ af/yr

Part F - FEES

1. Please calculate fees by completing the appropriate items below, and include the total fees with your application. Payment may be made by cash, check, or in some cases, by entry in an existing Department fee credit account. Checks should be made payable to the Department of Water Resources. **Failure to enclose the required fees will cause the application to be returned. Fees for certificates of assured water supply are authorized by A.R.S. § 45-113.**

a. Basic Application fee (includes first 20 lots)			\$250.00
b. Per-lot review fee (for lots in excess of the first 20):			
Total lots in this application	_____		
Less first 20 lots	_____ -20		
Lots subject to additional review fees	_____ x \$0.50 per lot:		\$ _____
c. Subtotal (add items #1 and #2)	<u>NOT TO EXCEED \$1,000</u>		\$ _____
d. Credit for previously reviewed hydrologic studies for this property (see #F-1 above)			
0.20 x Subtotal (c.) (\$ _____)			
e. Credit for membership in the Central Arizona Groundwater Replenishment District			\$ _____
0.20 x Subtotal (c.) (\$ _____)			\$ _____
f. Total Credits (add items d. and e.)			\$ _____
g. TOTAL FEE DUE (add subtotal c. and then subtract credits f.)			\$ _____

Please ensure all attachments and appropriate fees are included.

Arizona Department of Water Resources

Office of Assured and Adequate Water Supply

(602) 417-2465

Doug Dunham

E-mail: dwdunham@adwr.state.az.us

Pam Nagel

E-mail: pmnagel@adwr.state.az.us

Norma Coupaud

E-mail: njcoupaud@adwr.state.az.us

General Assistance:

Phoenix AMA - (602) 417-2465

John Schneeman or

Gerald Rathke

Tucson AMA - (520) 770-3800

Virginia Welford, or

Pam Nagel (602) 417-2465

Pinal AMA - (520) 836-4857

Joe Singleton or

Norma Coupaud (602) 417-2465

Prescott AMA - (928) 778-7202 or

Pam Nagel (602) 417-2465

Santa Cruz AMA - (520) 761-1814

John Bodenchuk or

Doug Dunham (602) 417-2465

Arizona Department of Real Estate

2910 North 44th Street, Suite 100

Phoenix, AZ 85018

(602) 468-1414 x400

DID YOU REMEMBER?

To completely fill-out the application form?

To include three copies of preliminary plat?

To include a signed Notice of Intent to Serve?

To include a signed Verification of Construction Assurance form?

To include all documents referenced in the application?

To include correctly calculated fees?

To have application signed by an authorized agent and include proof of the authorization?

ARIZONA DEPARTMENT OF WATER RESOURCES

OFFICE OF ASSURED WATER SUPPLY

500 NORTH THIRD STREET

PHOENIX, ARIZONA 85004

(602) 417-2465

SUPPLEMENT TO APPLICATION FOR A CERTIFICATE OF ASSURED WATER SUPPLY

VERIFICATION OF CONSTRUCTION ASSURANCE FOR A PROPOSED SUBDIVISION

To satisfy one of the requirements for obtaining a Certificate of Assured Water Supply pursuant to A.R.S. § 45-576, a developer must demonstrate financial capability to construct the water delivery system and any required storage or treatment facilities for a proposed subdivision. To fulfill this requirement, the Department will accept confirmation from the local platting authority that construction assurances will be secured prior to the sale of lots in accordance with the requirements of A.R.S. § 9-463.01 (if the platting entity is a city or town) or A.R.S. § 11-806.01 (if the platting entity is a county). This document is to be signed by the appropriate platting authority.

Section One - Subdivision Information (to be completed by applicant)

Subdivision name: _____ # of lots: _____

Location by section, township & range: _____ County: _____

Owner of subdivision: _____

Owner's address: _____

Future Owner(s): _____

Section Two - Verification of Construction Assurance (to be completed by platting authority)

With regard to the referenced subdivision, the below-named platting authority certifies that it has or will receive construction assurances, pursuant to the appropriate statutes, for the following elements of the water delivery system (check as applicable):

___potable delivery system ___potable storage facilities ___potable treatment facilities

___off-site pipeline ___effluent delivery system ___effluent treatment facilities

___other-please specify: _____

Name-Please Print/Type Signature Date Title

City/county name: _____ Department: _____

Address: _____ Phone #: _____

ARIZONA DEPARTMENT OF WATER RESOURCES
OFFICE OF ASSURED WATER SUPPLY
500 NORTH THIRD STREET
PHOENIX, ARIZONA 85004
(602) 417-2465

NOTICE OF INTENT TO SERVE FOR PRIVATE WATER COMPANIES

Subdivision/Development Name: _____

Original Owner: _____

Future Owner(s): _____

Private Water Company Name: _____

(If the water provider has several divisions, please specify in which service area the subdivision is located)

ADWR Service Area Right Number: 56-_____ ADEQ Public Water System Number: _____
(Number can be found on ADWR Annual Reports) (Please indicate the number valid for this subdivision)

Is the development located within the water provider's existing operating distribution system? ___Yes ___No
If no, will the water provider be extending a service area line to the development? ___Yes ___No
If no, will the water provider be establishing a new service area right to serve the development? ___Yes ___No
If yes, what type of right will be used to establish the service area right
If the development is not within the water provider's operating distribution system, a new service area right must be established before a Certificate of Assured Water Supply will be issued. Please contact your local AMA office for more information on establishing a new service area right.

Is the development within the water provider's existing Certificate of Convenience and Necessity (CC&N)? ___Yes ___No
If no, has an application for an extension of the CC&N been filed? ___Yes ___No
If yes, date of submittal: _____ Approved? ___Yes ___No
Please include a copy of the application for extension and reference as an attachment:
If the development is not within the water provider's CC&N, a Certificate of Assured Water Supply will not be issued until the CC&N has been extended to include the development.

# of lots	Persons per housing unit	Residential demand	Non-residential demand	Construction demand	Lost & unaccounted (10%)	Total demand	Gallons per person per day

The undersigned private water company (PWC) agrees to provide to the development indicated above an amount of water sufficient to satisfy the water demands of the development as estimated above. This Notice of Intent to Serve is conditioned upon the PWC's receipt of necessary approvals from the Arizona Corporation Commission and other regulatory agencies and the PWC's receipt of all necessary payments. The PWC further attests that the development is either within the boundaries of the company's existing Certificate of Convenience and Necessity or that a formal request has been filed with the Arizona Corporation Commission to extend the boundaries to include the development. The PWC further attests that the development is either within the operating distribution system or that a new service area right will be established to serve the development. The PWC acknowledges that it has reviewed the total estimated water demand of this subdivision and understands the effect of this demand on its compliance with applicable conservation targets prescribed in the management plan for the Active Management Area. This Notice of Intent To Serve Agreement is agreed to under the signature of an agent of the PWC authorized to sign the agreement:

Private Water Company's Authorized Agent (please type or print):

Signature of Authorized Agent of Private Water Company Title Date

Signature of Owner Title Date

Signature of future Owner(s) Title Date

ARIZONA DEPARTMENT OF WATER RESOURCES
OFFICE OF ASSURED WATER SUPPLY
500 NORTH THIRD STREET
PHOENIX, ARIZONA 85004
(602) 417-2465

**NOTICE OF INTENT TO SERVE FOR PROVIDERS NOT REGULATED BY THE
ARIZONA CORPORATION COMMISSION***

Subdivision/Development Name: _____

Owner: _____

Future Owner(s): _____

Municipal Water Provider Name: _____

(If the water provider has several divisions, please specify in which service area the subdivision is located)

ADWR Service Area Right Number: 56- _____ ADEQ Public Water System Number: _____
(Number can be found on ADWR Annual Reports) (Please indicate the number valid for this subdivision)

Type of Municipal Water Provider? ☐ City or Town ☐ Irrigation District ☐ Water Improvement District
☐ Homeowners' Association ☐ Other(explain) _____

If a homeowners' association, please provide the documents that establish the HOA and evidence from the Arizona Corporation Commission (ACC) that the HOA is "not for publicservice," and not subject to regulation by the ACC.

Is the subdivision to be served by the water provider's existing operating distribution system? ☐ Yes ☐ No

If no, will the water provider be establishing a new service area right to serve the development? ☐ Yes ☐ No

If yes, what type of right will be used to establish the service area right

If the development is not within the water provider's operating distribution system, a new service area right must be established before a Certificate of Assured Water Supply will be issued. Please contact your local AMA office for more information on establishing a new service area right.

# of lots	Persons per housing unit	Residential demand	Non-residential demand	Construction demand	Lost & unaccounted (10%)	Total demand	Gallons per person per day

The undersigned water provider agrees to provide to the development indicated above an amount of water sufficient to satisfy the water demands of the development as estimated above. This Notice of Intent to Serve is conditioned upon the provider's receipt of necessary approvals from the relevant regulatory agencies and the provider's receipt of all necessary payments. The water provider further attests that the development is either within the operating distribution system or that a new service area right will be established to serve the development. The water provider also acknowledges that it has reviewed the total estimated water demand of this subdivision and understands the effect of this demand on its compliance with applicable conservation targets prescribed in the management plan for the Active Management Area. This Notice of Intent To Serve Agreement is agreed to under the signature of an agent of the water provider authorized to sign the agreement:

Water Provider's Authorized Agent (please type or print): _____

Signature of Authorized Agent of Water Provider

Title

Date

Signature of Owner

Title

Date

Signature of future Owner(s)

Title

Date

*Pursuant to R12-15-703 (D)(7), this form only meets the requirements of legal availability for those subdivisions served by a city or town. If water will be served by another entity, there may be other requirements for proving legal availability of supply.

ARIZONA DEPARTMENT OF WATER RESOURCES
OFFICE OF ASSURED WATER SUPPLY
500 NORTH THIRD STREET
PHOENIX, ARIZONA 85004
(602) 417-2465

NOTICE OF INTENT TO SERVE
UNTREATED WATER BY IRRIGATION DISTRICTS

Subdivision/Development Name: _____

Owner: _____

Future Owner(s): _____

Irrigation District Name: _____

ADWR Service Area Right Number: 57-_____ (Number can be found on ADWR Annual Reports)

Is the subdivision to be served within the irrigation district's service area? ____ Yes ____ No

1	2	3	4	5
Number of Lots	Estimated Demand per Housing Unit Served by Irrigation District	Estimated Residential Demand (af/yr) Served by Irrigation District	Estimated Other Demand (af/yr) Served by Irrigation District	Total Estimated Annual Demand (af/yr) Served by District

The undersigned irrigation district agrees to provide to the development indicated above an amount of untreated water sufficient to satisfy part of the water demands of the development as estimated above, subject to the law of priority and other applicable laws, including laws relating to the distribution of water in the event of shortage, and the terms and conditions of service imposed by the irrigation district. This Notice of Intent to Serve is conditioned upon the irrigation district's receipt of any necessary approvals from the relevant regulatory agencies and the irrigation district's receipt of all necessary payments. The irrigation district further attests that the development is within the irrigation district's service area and is eligible to receive untreated water deliveries from the irrigation district for Non-Irrigation Use by the subdivision. The irrigation district also acknowledges that it has reviewed the estimated water demand of this subdivision, as listed above, and understands the effect of this demand on its compliance with any applicable conservation targets prescribed in the management plan for the Active Management Area. This Notice of Intent To Serve Agreement is agreed to under the signature of an agent of the irrigation district authorized to sign the agreement:

Irrigation District's Authorized Agent (please type or print): _____

Signature of Authorized Agent of Irrigation District Title Date

Signature of Owner Title Date

Signature of future Owner(s) Title Date